

# HOUSE BILL 897

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By: **Delegates Murphy, Cardin, Beidle, Bohanan, Boteler, Frick, Frush, Howard, Hubbard, Jameson, Love, Mizeur, Reznik, V. Turner, Walker, and Wood**

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Engine Coolant and Antifreeze Bittering Agent Act**

3 FOR the purpose of prohibiting a person from selling or offering for sale any engine  
4 coolant or antifreeze that contains more than a certain percentage of ethylene  
5 glycol unless the coolant or antifreeze contains a certain amount of denatonium  
6 benzoate; granting immunity from liability to persons that manufacture,  
7 process, distribute, recycle, or sell engine coolant or antifreeze with denatonium  
8 benzoate in accordance with this Act; providing that this Act does not apply to  
9 certain engine coolant or antifreeze sales; establishing a certain penalty for  
10 violation of this Act; and generally relating to the sale of engine coolant and  
11 antifreeze.

12 BY adding to

13 Article – Health – General

14 Section 22–601 to be under the new subtitle “Subtitle 6. Engine Coolant and  
15 Antifreeze Bittering Agent Act”

16 Annotated Code of Maryland

17 (2009 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Health – General**

21 **SUBTITLE 6. ENGINE COOLANT AND ANTIFREEZE BITTERING AGENT ACT.**

22 **22–601.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) A PERSON MAY NOT SELL OR OFFER TO SELL ANY ENGINE COOLANT**  
2 **OR ANTIFREEZE THAT CONTAINS MORE THAN 10% ETHYLENE GLYCOL UNLESS**  
3 **THE COOLANT OR ANTIFREEZE INCLUDES NOT LESS THAN 30 PARTS PER**  
4 **MILLION NOR MORE THAN 50 PARTS PER MILLION DENATONIUM BENZOATE.**

5           **(B) (1) A PERSON THAT MANUFACTURES, PROCESSES, DISTRIBUTES,**  
6 **RECYCLES, OR SELLS ANY ENGINE COOLANT OR ANTIFREEZE IN ACCORDANCE**  
7 **WITH SUBSECTION (A) OF THIS SECTION IS NOT LIABLE FOR ANY PERSONAL**  
8 **INJURY, DEATH, PROPERTY DAMAGE, DAMAGE TO THE ENVIRONMENT OR**  
9 **NATURAL RESOURCES, OR ECONOMIC LOSS THAT RESULTS FROM THE**  
10 **INCLUSION OF DENATONIUM BENZOATE IN THE ENGINE COOLANT OR**  
11 **ANTIFREEZE.**

12           **(2) THE LIMITATION ON LIABILITY IN THIS SUBSECTION DOES**  
13 **NOT PROVIDE TO ANY PERSON IMMUNITY FROM LIABILITY FOR DAMAGES THAT**  
14 **ARE UNRELATED TO THE INCLUSION OF DENATONIUM BENZOATE IN ANY**  
15 **ENGINE COOLANT OR ANTIFREEZE IN ACCORDANCE WITH SUBSECTION (A) OF**  
16 **THIS SECTION.**

17           **(C) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE SALE OF:**

18           **(1) A MOTOR VEHICLE THAT CONTAINS ENGINE COOLANT OR**  
19 **ANTIFREEZE AT THE TIME OF SALE;**

20           **(2) A WHOLESALE CONTAINER OF ENGINE COOLANT OR**  
21 **ANTIFREEZE DESIGNED TO CONTAIN 55 GALLONS OR MORE OF ENGINE**  
22 **COOLANT OR ANTIFREEZE;**

23           **(3) ENGINE COOLANT OR ANTIFREEZE REFORMULATED**  
24 **THROUGH ON-SITE RECYCLING; OR**

25           **(4) ENGINE COOLANT OR ANTIFREEZE PURCHASED IN**  
26 **ACCORDANCE WITH MILITARY SPECIFICATIONS.**

27           **(D) (1) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS**  
28 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT**  
29 **EXCEEDING \$100.**

30           **(2) EACH DAY THAT A VIOLATION CONTINUES SHALL CONSTITUTE**  
31 **A SEPARATE OFFENSE.**

32           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2011.